

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MICHAEL SWISHER,

Plaintiff,

v.

**APEX MARKETING MANAGEMENT
INC., *et al.*,**

Defendants.

Case No. 2:25-cv-434

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Kimberly A. Jolson

ORDER

This matter is before the Court on Defendants’ Motion for Leave to Designate Pro Hoc Vice Counsel as Trial Attorney. (ECF No. 18.) Defendants Apex Marketing Management, Inc., Scott Patterson, and Cody Stokes move to substitute their Trial Attorney under Rule 83.4(a) of the Local Rules. (*Id.*) Defendants’ current Trial Attorney is Andrew Clark of Onda LaBuhn Ernsberger & Boggs Co., LPA. Defendants determined that their interests would be most effectively represented, however, if Attorney Sarah Goodman of Offit Kurman were to serve as Trial Attorney. (*Id.*)

Attorney Goodman is not a member of the permanent bar of this Court, but the Court granted her leave to appear *pro hac vice*. (ECF No. 15.) Defendants assert that Attorney Goodman should serve as Trial Attorney due to her experience serving as first chair trial counsel in about 20 trials. (ECF No. 18, PageID 115.) She is also admitted to practice in several states and United States District Courts, as well as the Third Circuit. (*Id.*)

Rule 83.4(a) of the Local Rules for the Southern District of Ohio states that “[u]nless otherwise ordered, . . . all parties other than *pro se* parties must be represented at all times by a ‘Trial Attorney’ who is a permanent member in good standing of the bar of this Court.” S.D. Ohio

Civ. R. 83.4(a). “Admission *pro hac vice* does not entitle an attorney to appear as a party’s Trial Attorney, but the Court may, in its discretion and upon motion that shows good cause, permit an attorney who has been so admitted to act as the Trial Attorney.” *Id.*

Defendants have shown good cause for the substitution of Andrew Clark for Sarah Goodman as the designated Trial Attorney. The Court **GRANTS** Defendants’ Motion for Leave to Designate Pro Hoc Vice Counsel as Trial Attorney. (ECF No. 18.) The Court does so on the condition that Defendants are still represented in this case by another permanent member of the bar of this Court, in addition to Attorney Goodman.

This case remains open.

IT IS SO ORDERED.

7/7/2025
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE